

ALPHONSO NICHOLAS FAGGIOLO	:	
Plaintiff	:	No. 2023-CV-04920-JHS
	:	
v.	:	
	:	
BOROUGH OF RIDLEY PARK, ROBERT	:	
P. DADAY, BARRY C. DOZOR,	:	
MICHELLE PORTNOFF, RICHARD	:	
TUTAK, MARY J. WALK	:	

**ORDER**

AND NOW, this                      day of                      , 2024, upon consideration of Plaintiff’s Motion to Take Judicial Notice, and response thereto, it is hereby ORDERED and DECREED that said Motion is DENIED.

BY THE COURT:

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Joel H. Slomsky, S.J.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALPHONSO NICHOLAS FAGGIOLO	:	
Plaintiff	:	No. 2023-CV-04920-JHS
	:	
v.	:	
	:	
BOROUGH OF RIDLEY PARK, ROBERT	:	
P. DADAY, BARRY C. DOZOR,	:	
MICHELLE PORTNOFF, RICHARD	:	
TUTAK, MARY J. WALK	:	

**DEFENDANTS, BOROUGH OF RIDLEY PARK AND RICHARD TUTAK’S  
REPLY IN OPPOSITION TO PLAINTIFF’S MOTION TO TAKE JUDICIAL NOTICE**

Defendants, Borough of Ridley Park and Richard Tutak (hereinafter “Borough Defendants”), by and through their counsel, Ernest Angelos, Esq., Katherine Meehan, Esq. and Raffaele Puppio, submit the within reply to Plaintiff’s Motion to Take Judicial Notice.

1. Denied. Plaintiff’s Motion prematurely asserts a Rule of Evidence seeking a ruling on evidence attached to initial pleadings in this matter. All of Plaintiff’s allegations are denied. Borough Defendants hereby incorporate by reference the Brief of Defendants, Michelle Portnoff and Robert P. Daday, In Opposition to Plaintiffs’ Motion to Take Judicial Notice Filed on April 10, 2024. (ECF#28).

2. Denied. See answer to number 1, supra.

3. Denied. See answer to number 1, supra. In addition, Borough Defendants hereby incorporate by reference the letter brief of Defendant, Mary Walk, dated April 18, 2024 and submitted to this Honorable Court. (ECF#26).

4. Denied. See answer to number 1, supra.

5. Denied. See answer to number 1, supra.

6. Denied. See answer to number 1, supra.
7. Denied. This paragraph contains conclusions of law to which no response is required. To the extent a response may be required, the allegations are denied.
8. Denied. See answer to number 1, supra.

WHEREFORE, Defendants Borough of Ridley Park and Richard Tutak pray that this Honorable Court will deny Plaintiff's Motion.

**RAFFAELE PUPPIO, LLP**

Date: 4/25/24

BY: s/Katherine H. Meehan  
Ernest S. Angelos, Esq.  
Katherine H. Meehan, Esq.  
*Attorneys for Defendants, Borough of  
Ridley Park and Richard Tutak*

**CERTIFICATE OF SERVICE**

I, Katherine H. Meehan, Esquire, attorney for the Defendants, Borough of Ridley Park and Richard Tutak, do hereby certify that a true and correct copy of Defendants, Borough Of Ridley Park And Richard Tutak's Reply In Opposition To Plaintiff's Motion To Take Judicial Notice, filed in the above-captioned matter was sent via the Court's electronic filing system to the following:

Alphonso N. Faggiolo, pro se  
713 Lamp Post Lane  
Aston, PA 19014

Donald E. Wieand, Jr., Esquire  
Stevens & Lee  
840 W. Hamilton Street  
Suite 521  
Allentown, PA 18101  
Attorney for Michelle Portnoff, Robert P. Daday

Michael F. Schleigh, Esquire  
Hardin Thompson, PC  
123 South Broad Street  
Suite 2235  
Philadelphia, PA 19109  
Attorney for Mary J. Walk

Nicole Feigenbaum, Esquire  
Supreme Court of Pennsylvania  
Administrative Office of PA Courts  
1515 Market St., Ste. 1414  
Philadelphia, PA 19102  
Attorney for the Honorable Barry C. Dozor

Katherine H. Meehan

Katherine H. Meehan, Esquire

Date: 4/25/24